

Jason Mizrahi

From: Jason Mizrahi
Sent: Wednesday, December 29, 2021 7:11 PM
To: Amy Dimalanta
Cc: Joshua Levin-Epstein; Nolan Klein
Subject: Re: SERVICE OF COURT DOCUMENT - Ramos, et al. v. 39th St. Auto Repair, Inc., et al. - Case No. 1:21-cv-04045

Categories: Ramos. Miguel - 39th St. Auto

Amy / Nolan,

Receipt confirmed. Thank you.

Please let this email respectfully serve as formal written notice of Plaintiffs' acceptance of Defendants' Offer of Judgment pursuant to Fed.R.Civ.P. 68.

Thank you,
Jason Mizrahi

Jason Mizrahi, Esq.
Levin-Epstein & Associates, P.C.
[60 East 42nd Street, Suite 4700](#)
[New York, NY 10165](#)
Phone: [\(212\) 792-0048](#)
Mobile: [\(301\) 758-7351](#)
Facsimile: [\(646\) 786-3170](#)
Email: Jason@levinepstein.com

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On Dec 29, 2021, at 2:56 PM, Amy Dimalanta <Amy@nklegal.com> wrote:

Good Afternoon counsel, please see attached Offer of Judgment. Thank you.

Court:	USDC – EASTERN DISTRICT OF NEW YORK
Case No.:	1:21-cv-04045
Plaintiff(s):	Miguel Ramos and Jose Marrero
Defendant(s):	39 th Street Auto Repair, Inc., Bruce Fridman and Tomas Eisler

Title of Document(s):	Offer of Judgment
Attorney(s):	Nolan K. Klein
E-mail(s):	klein@nklegal.com ; amy@nklegal.com
Telephone:	(954) 745-0588

Sincerely,

Amy Dimalanta
Legal Assistant to Nolan Klein, Esq.
Law Offices of Nolan Klein, P.A.

NY: 112 W. 34th St., Ste. 1800, New York, NY 10034 | 646.560.3230
FL: 633 S. Andrews Ave., Ste. 500, Fort Lauderdale, FL 33301 | 954.745.0588
amy@nklegal.com | www.nklegal.com

<image001.jpg>

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<Offer of Judgment - 39th Street Auto.pdf>

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
Miguel Ramos, and Jose Marrero, *on behalf of
himself and others similarly situated in the
proposed FLSA Collective Action,*

Case No.: 1:21-cv-04045

Plaintiff,

- against -

39th Street Auto Repair Inc., Bruce Friedman, and
Tomas Eycler,

Defendants.
-----X

**OFFER OF JUDGMENT
PURSUANT TO
FED.R.CIV.P. 68**

To: Levin-Epstein & Associates, P.C.
Attn: Jason Mizrahi, Esq.
Joshua D. Levin-Epstein, Esq.
60 East 42nd Street, Suite 4700
New York, New York 10165
Email: Jason@levinepstein.com
Joshua@levinepstein.com

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants 39th Street Auto Repair, Inc. (the “Corporate Defendant”), Bruce Friedman, and Tomas Eycler (together, the “Individual Defendants”, and with the Corporate Defendant, the “Defendants”), hereby make this offer of judgment in favor of Plaintiffs Miguel Ramos (“Ramos”) and Jose Marrero (“Marrero”, and together, the “Plaintiffs”), jointly and severally, and against Defendants in the above-captioned action in the total sum of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), payable as follows:

1. A payment in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00) payable three (3) days following the Court’s Entry and Order of this Offer of Judgment.

The total sum of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00) is inclusive of reasonable attorney’s fees, costs, and expenses to date of this offer, in full and final settlement

of all of Plaintiffs' claims against Defendants arising out, alleged in, or related to, the facts and transactions alleged in the above-captioned action.

This judgment shall be in full satisfaction of all federal and state law claims or rights that Plaintiffs may have to damages, or any other form of relief, arising out of the alleged acts or omissions of Defendants or any owner, employee, or agent, either past or present, of the Defendants, or in connection with the facts and circumstances that are the subject of this action.

This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by any of the Defendants, or any owner, employee, representative, or agent of any of the Defendants.

Acceptance of this offer of judgment will act to release and discharge Defendants, their respective successors or assigns, as well as all past and present owners, employees, representatives, and agents of the Defendants, in their respective capacity as such, from any and all claims that were or could have been alleged by Plaintiffs in the above-referenced action. Acceptance of this offer of judgment also will operate to waive Plaintiffs' rights to any claim for interest on the amount of the judgment.

In order for Plaintiffs to accept this offer, Plaintiffs must serve written notice of acceptance upon Defendants within fourteen (14) days after service of this Offer of Judgment. An offer not accepted within the specified period for acceptance will be deemed withdrawn.

Date: December 22, 2021
New York, NY

LAW OFFICES OF NOLAN KLEIN, P.A.

By: /s/Nolan Klein
Nolan Klein, Esq.
112 West 24th Street, Suite 1800
New York, NY 10034
Email: klein@nklegal.com
Attorneys for Defendants